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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WILLIAM J. BERRY, JR.; CYNTHIA  
FALLS; SHANE KAUFMANN,

Plaintiffs,

vs.

DESERT PALACE, INC. d/b/a CAESARS  
PALACE; et al.,

Defendants.

Case No.: 2:17-cv-00019-GMN-PAL

**PLAINTIFFS' MOTION FOR  
LEAVE TO FILE UNDER SEAL  
APPENDIX 3 OF EXHIBITS IN  
SUPPORT OF OPPOSITION TO  
MOTION FOR SUMMARY  
JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 5.2(d) and Local Rule 10-5(b), Plaintiffs William J. Berry, Jr., Cynthia Falls, and Shane Kaufmann respectfully move this court for entry of an order granting them leave to seal Exhibit 1 (William J. Berry Deposition Excerpts); Exhibit 3 (Podium Notes); Exhibit 17 (Falls Deposition Excerpts); Exhibit 21 (Falls Notes and Descriptions); Exhibit 22 (Falls Notes); Exhibit 23 (Falls Notes); Exhibit 24 (Falls Notes); Exhibit 26 (Dealers Discrimination Complaint); Exhibit 30 (Kaufmann Deposition Excerpts); 34 (Kaufmann Notes); 39 (Williams Deposition Excerpts); 40 (Customer Information); 41 (Investigation); 43 (Internal Emails Re

Customers); 44 (Gong Deposition Excerpts); 45 (Falls Affidavit); 49 (Sesto Affidavit); 53 (Rule 30(b)(6) Deposition Excerpts); 55 (Employee Discipline History); 56 (Telephone Attendance Log). Good cause exhibits to seal these exhibits, as the majority of them have been marked as “Confidential” in discovery, and good cause exists because they contain private, confidential, or proprietary information about Caesars’ customers, employees, and/or financial information (or relate to deposition testimony about the same), and thus they constitute “confidential information.” *See* ECF No. 43.

Wherefore, for the foregoing reasons, Plaintiffs respectfully request that the court grant Plaintiffs’ motion for leave to file the above-mentioned exhibits in support of Plaintiffs’ opposition to Defendants’ motion for summary judgment under seal to prevent such confidential and proprietary information from being disclosed on the public record.

Respectfully submitted this 15th day of February, 2019,

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/s/ Kathleen J. England  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 15th day of February, 2019, “**PLAINTIFFS’  
MOTION FOR LEAVE TO FILE UNDER SEAL APPENDIX 3 OF EXHIBITS  
IN SUPPORT OF OPPOSITION TO MOTION FOR SUMMARY  
JUDGMENT**” will be emailed and mailed, to all on the service list, including:

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By: /s/ Danielle Barraza

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